IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 27048 of 2005

Between:

Smt.Arem Subhadramma

..... PETITIONER

AND

The Regional Passport officer,

Office of the Regional Passport Authority,

Kummaraguda, Behind Prasanth
Theatre, Secunderabad, Andhra Pradesh.

.....RESPONDENT

ORDER:

Seeking a Mandamus, declaring the action of the respondent in refusing to receive the application of the petitioner for correction of date of birth of the petitioner as 03.04.1959 in the existing passport bearing No.A6624289, dated 10.11.1998, basing on the School records, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner. None appears for the respondent.

The petitioner submits that based on the application filed by her husband to get a passport in favour of the petitioner in the year 1998, the respondent issued a passport bearing No.A6624289 on 10.11.1998 which is valid upto 09.11.2008, entering her date of birth as 02.07.1963. It is stated that no proof of date of birth is issued and only on declaration and affidavit, the date of birth of the petitioner was entered in the said passport.

It is further stated that to obtain immigration permission, the petitioner has to submit proof of date of birth, and accordingly, the date of birth certificate was obtained, as entered in the school records, from the M.P.Primary School, Ananthaiahgaripalli village of Pullampet Mandal, Cuddapah District, showing her date of birth as 03.04.1959. It is stated that she studied upto V class in the said School and her admission number is 481. It is further stated that the Panchayat Secretary of Ananthaiahgaripalli of Pullampet Mandal also issued a date of birth certificate to the petitioner mentioning her date of birth as 03.04.1959. Based on the said date of birth certificate, the petitioner made an application before the respondent for correction of date of birth in her passport, but the respondent has refused to receive the application.

Unfortunately, pursuant to the communication received by the Chief Passport Officer, the standing counsels of the Central Government are asked not to appear with regard to cases for rectification of date of birth in the passports. Therefore, there is no

other go, except to direct the respondent to receive the application of the petitioner for correction of her date of birth in the passport, based on the school records, and pass appropriate orders thereon, either rectifying the date of birth in the passport or issue a fresh passport, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 20.12.2005

Dsr